

**FY08 SECTION 106 WORKPLAN
REGION 4 State of Florida**

EPA Technical Point of Contact: Alenda Johnson
EPA Project Officer: Cheryl Espy
FDEP Point of Contact: Chuck Ziegmont

Draft or Final (Underline one)

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Date of latest workplan revision: 09/19/07

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| TASK No. | 106 Workplan Task Description | Basis for 106 Workplan Task | Output/Outcome | Reporting Schedule | End-of-Year State Report/State Comments |
|-----------------|---|---|------------------------------------|---------------------------|--|
| 1.a. | <p>Conduct a sufficient number of inspections each quarter to assure inspection commitments are met. FY08 Inspection Plan commitments are:</p> <p><u>Conventional Facilities (includes municipal and industrial WWTPs):</u></p> <p>Majors: once/2 years (minimum is 50%/year) 9 Minors: once/5 years (minimum is 20%/year) 5</p> <p>General Permits: 15% of the permitted universe/year 2</p> <p><u>NPDES Storm Water (SW) Facilities/Activities:</u></p> <p>MS4s Audits: Audits are comprehensive and involve record review and personnel interviews as well as field over-sight.</p> <p>Phase I MS4 Audits: once/year</p> <p>Phase II MS4 Audits: once/5 years</p> <p>Throughout the FY, the State will provide EPA with a copy of its contractor inspection work orders</p> | <p>40 C.F.R. § 123.26 and National Priorities</p> | <p>Conduct inspections/audits.</p> | <p>10/01/07-09/30/08</p> | |

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| | <p>listing the industrial facilities to be inspected, in no less than 15 days prior to planned inspections, except in special situations that require immediate attention such as complaints and natural disasters.</p> <p>Construction:</p> <p>10% of the new NOIs received for Phase I (large) sites/year</p> <p>5% of the new NOIs received for Phase II (small) sites/year</p> <p>Industrial: 10% of the permitted universe/year</p> <p><u>Concentrated Animal Feeding Operation Facilities (CAFO):</u></p> <p>once/5 years (11 for FY08)</p> | | | | |
| 1.b. | <p>Prepare and submit an Inspection Plan (Plan) for FY09 (10/01/08-09/30/09). The Plan shall be consistent with EPA guidance. In this Plan, the State should address any compliance or enforcement topics or concerns related to FDEP/EPA Priority Watershed</p> | <p>40 C.F.R. § 123.26 and National Priorities</p> | <p>Submit draft inspection plan.</p> <p>Finalize and submit final inspection plan</p> | <p>07/15/08</p> <p>09/15/08</p> | |

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| | <p>Initiatives as they are developed.</p> <p>Inspection types which do not count toward the inspection commitment include Reconnaissance and operation and maintenance inspections. Inspections <u>must</u> be entered into ICIS-NPDES to count toward the State's commitment.</p> <p>The Plan shall include the following inspection commitments:</p> <p><u>Conventional Facilities (includes municipal and industrial WWTPs):</u></p> <p>Majors: once/2 years (minimum is 50%/year)</p> <p>Minors: once/5 years (minimum is 20%/year)</p> <p>General Permits: 15% of the permitted universe/year</p> <p><u>NPDES Storm Water (SW) Facilities/Activities:</u></p> <p>MS4s Audits: Audits are comprehensive and involve record review and personnel interviews as</p> | | | | |

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| | <p>well as field over-sight.</p> <p>Phase I MS4 Audits: once/year</p> <p>Phase II MS4 Audits: once/5 years</p> <p>Throughout the FY, the State will provide EPA with a copy of its contractor inspection work orders listing the industrial facilities to be inspected, in no less than 15 days prior to planned inspections, except in special situations that require immediate attention such as complaints and natural disasters.</p> <p>Construction:</p> <p>10% of the new NOIs received for Phase I (large) sites/year</p> <p>5% of the new NOIs received for Phase II (small) sites/year</p> <p>Industrial: 10% of the permitted universe/year</p> <p>Program costs for the NPDES Stormwater Program in Florida, in part, are regulated by the number of field inspections that are</p> | | <p>In the event DEP determines that budget constraints will limit inspections, the following percentage of inspections will be completed that year;</p> <p>Construction:</p> <p>8% (229) of the new NOIs received for Phase I sites/year</p> <p>2% (56) of the new NOIs received for Phase II sites/year</p> <p>Industrial: 10% of the permitted</p> | | |

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| | <p>tasked to contractor. If spending authority is limited due to budget cuts, this could severely limit the number of field inspections conducted. Should DEP anticipate a spending cut, EPA will be notified so that appropriate arrangements can be made to ensure that commitments are met.</p> <p><u>Concentrated Animal Feeding Operation Facilities (CAFO):</u> once/5 years</p> | | <p>universe/year</p> <p>Should DEP anticipate a spending cut, EPA will be notified so that appropriate arrangements can be made to ensure commitments are met.</p> | | |
| | <i>Reporting/Enforcement</i> | | | | |
| 2. | <p>Submit the Quarterly Noncompliance Report (QNCR). Provide brief written annotations denoting compliance/enforcement status when a QNCR-listed permittee is determined to be in Significant Noncompliance (SNC) for 2 or more quarters, by ICIS-NPDES.</p> <p>*Dates dependent upon ICIS-NPDES; regulatory dates are noted.</p> | 40 C.F.R. § 123.45 | <p>Submit annotated QNCR.</p> <p>Execute and submit copies of draft and final enforcement actions, as requested.</p> | <p>11/30/07</p> <p>02/28/08</p> <p>05/31/08</p> <p>08/31/08</p> | |

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| 3. | <p>The Facilities Watch List (FWL) will be provided to the State on a quarterly basis. Within 15 days of being notified by EPA of FWL generation, the State shall execute or provide a schedule acceptable to EPA for execution of a formal enforcement action, refer the facility to EPA for enforcement, or provide a written explanation of why no formal action is appropriate.</p> <p>*Due date may vary depending on the generation and state notification date.</p> | National Priority | <p>Submit written FWL explanation or refer to EPA.</p> <p>Execute and submit copies of draft and final enforcement actions, as requested.</p> | <p>11/15/07</p> <p>02/15/08</p> <p>05/15/08</p> <p>08/15/08</p> | |
| 4. | <p>Submit Semi-annual Statistical Summary Report (SSSR) containing information concerning the number of major dischargers with 2 or more violations of the same monthly average limitation within a 6 month period. EPA will generate a draft SSSR and provide the draft to the</p> | 40 C.F.R. § 123.45(b) | Submit report | <p>02/28/08</p> <p>08/31/08</p> | |

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| | State for review and submission. *Dates dependent upon ICIS-NPDES; regulatory dates are noted. | | | | |
| 5. | Submit Annual Noncompliance Report (ANCR) containing information concerning the number of non-major dischargers in noncompliance. EPA will generate a draft ANCR and provide the draft to the State for review and submission. *Dates dependent upon ICIS-NPDES; regulatory dates are noted. | 40 C.F.R. § 123.45(c) | Submit report | 02/28/08 | |
| 6. | Submit State Judicial Actions Report. | 40 C.F.R. § 123.27 | Submit report | 11/30/07 02/28/08 05/31/08 08/31/08 | |
| 7. | Submit copies of Inspection Reports in either hard or electronic form upon request by EPA. | Regional Priority | Submit requested copies of inspection reports. | | |

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| 8. | Submit hard or electronic copies of all formal enforcement actions and penalty only actions upon request by EPA. | Regional Priority | Submit requested copies of actions. | | |
| 9.a | Submit list of CAFO facilities with permits. | 40 C.F.R. § 122.23 and National Priority | Submit list. | 12/31/07 | |
| 9.b | Submit a list of CAFO facilities without permits and indicate if completed permit applications have been received. | 40 C.F.R. § 122.23 | Submit list. | 12/31/07 | |
| 10. | Assist in watershed targeting for Cycle 2 of the MOM Program Project, as requested . | Regional Priority | Schedule with staff. | | |
| | <i>Data Management – Requirements apply to <u>all</u> NPDES Dischargers, unless otherwise specified.</i> | | | | |

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| 11. | Enter and maintain data in ICIS-NPDES for all for all Requisite ICIS Data Elements (RIDE) data elements. | National Policy | Enter data into ICIS-NPDES. | Enter within 15 days after the fact, except as specified elsewhere. | |
| 12. | Enter and maintain current effluent limit and monitoring requirements in ICIS-NPDES for all major dischargers. | National Policy | Enter data into ICIS-NPDES. | 30 days after the effective date of the permit | |
| 13. | Once effluent limits and DMRs for minor dischargers are added to RIDE data elements, enter data into ICIS-NPDES. | National Policy | Enter data into ICIS-NPDES. | Begin immediately after publication of RIDE revisions. Enter as permits are issued. | |
| 14. | Maintain DMR entry and accuracy rate of at least 95%. | National Policy | Enter data into ICIS-NPDES. | Enter within 58 days after the end of each monitoring period | |
| 15. | Enter inspection data for all NPDES program areas. | National Policy | Enter data into ICIS-NPDES. | Enter the permit number, the name of facility, the date of the inspection and inspection type within 15 days of | |

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| | | | | completion of the inspection report, but no later than 45 days from the date of the inspection. All other inspection information must be entered within 90 days of the inspection so that all information is entered into ICIS-NPDES no later than 12/31/08 for FY08. | |
| 16. | Enter and maintain data in ICIS-NPDES for all formal and informal enforcement actions, as well as all penalty actions. | National Policy | Enter data into ICIS-NPDES. | Enter within 30 days of issuance of the action. | |
| 17. | Enter and maintain compliance and enforcement schedule data in ICIS-NPDES. Enter completion of schedule | National Policy | Enter data into ICIS-NPDES. Enter data into ICIS-NPDES. | Enter within 30 days of issuance. Enter within 30 days of notification | |

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| | milestones. | | | of completion | |
| 18. | If storm water permit/enforcement information is not in ICIS-NPDES, submit a report containing: number of facilities inspected, number and type of action taken, and number of permitted facilities. | National Priorities | Submit Report. | 11/30/07 02/28/08 05/31/08 08/31/08 | |
| | <i>Pretreatment Facilities</i> | | | | |
| 19a | A Publically Owned Treatment Works (POTW) Pretreatment (PT) Program Inspection/Audit Schedule for the next inspection year will be submitted electronically to the EPA, Region 4 Pretreatment Coordinator (PTC). If subsequent changes to the schedule occur, they shall be submitted electronically with an explanation. For the Industrial PT Program, at least 20% of fully-approved active POTW PT Programs shall receive PT Audits by the end of FY09 (10/1/08-9/30/09), so that all Programs are audited within 5 years, and at least | 40 C.F.R. § 403 | Submit schedule. | 08/31/08 | |

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| | <p>80% of fully-approved active POTW PT Programs will receive inspections by the end of FY09. During each audit, assessment of the POTW's inspection procedures will be made by an oversight inspection of at least one industrial user discharging to the POTW.</p> <p>Technical assistance visits (TAV) may be considered partial inspections to be credited toward the 80% figure only where a written proposal has been approved, and a credit ratio assigned, by the EPA, Region 4 PTC. Any proposal for this credit must be submitted with the POTW PT Program Inspection/Audit Schedule and include detailed descriptions of the scope and standard procedures for both the TAV and the PT inspection.</p> | | | | |
| 19.b | For the Industrial PT Program, track the submission of POTW reports made per 40 C.F.R. 403.12(i) and review 100% of all submissions to determine | 40 C.F.R. § 403 | 100% of reports reviewed and enter into ICIS-NPDES. | | |

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| | if appropriate permitting and enforcement of SIUs is accomplished by POTWs. | | | | |
| 19.c. | A SIU Inspection and Sampling Schedule will be prepared for the next inspection year. This schedule will be submitted electronically to the EPA, Region 4 PTC. If subsequent changes to the schedule occur, they shall be submitted electronically with an explanation. For the Industrial PT Program, 100% of SIUs permitted directly by the State will be inspected and sampled by the end of FY09 (10/1/08-9/30/09). | 40 C.F.R. § 403 | Submit schedule | 08/31/08 | |
| 20. | Conduct a sufficient number of inspections/audits each quarter, based on the FY08 Plan, to assure inspection commitments are met. Enter inspections conducted into ICIS-NPDES. | 40 C.F.R. §123.26 and 40 C.F.R. § 403, and National | Conduct inspections/audits. Enter inspection information into ICIS-NPDES. | 10/01/07-09/30/08 Enter inspection information within 15 days of the end of the quarter. All inspection data | |

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| | | Priorities | | should be entered into ICIS-NPDES no later than 12/31/08 for FY08. | |
| 21. | For the Industrial PT Program, submit a quarterly report (QR) electronically to the EPA, Region 4 PTC. The QR will provide the total number of SIUs permitted by active approved POTW PT Programs as of the end of the quarter, identify POTW PT Programs inspected/audited during the quarter, POTW reports reviewed during the quarter, and POTWs in reportable non-compliance (RNC) and SNC. For RNC/SNC, the criteria met for each designation will be delineated, and a description of the enforcement history, present actions, and dates that non-compliance was resolved or is expected to be resolved will be provided. The first QR submittal will also include a list of POTW PT Programs grouped by their status (active or developing). For SIUs permitted directly by the | 40 C.F.R. § 403 | Submit complete reports on time and listing with first report. | 11/30/07 (for period 7/07-9/07) 2/28/08 (for period 10/07-12/07) 5/31/08 (for period 1/08-3/08) 8/31/08 (for period 4/08-6/08) | |

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| | State, the QR will provide the total number of categorical permittees as of the end of the quarter, identify SIUs inspected and sampled during the quarter, and SIUs in SNC as defined by 40 C.F.R. 403.8(f)(2)(vii). For SNC, the criteria met for each designation will be delineated, and a sufficient description of the enforcement history, present actions, and dates that non-compliance was resolved or is expected to be resolved will be provided. The first QR submittal will also include a list of State-permitted SIUs and their permit expiration dates. | | | | |
| 22 | For the Industrial PT Program, copies of enforcement actions will be provided upon request by the EPA, Region 4 PTC. | 40 C.F.R. § 403 | Submit copies of actions | On request | |
| | <i>Policy, Strategy & Management</i> | | | | |

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| 23. | Submit current State Enforcement Management System (EMS) for review. The EMS shall encompass all NPDES Program areas, including conventional major and minor municipal and industrial, MOM, all , storm water, CAFO, SSO, WET, and PT facilities. | Regional Priority | Submit EMS | 120 days after Memorandum of Agreement effective date or other agreed to date. | |
| 24. | Submit EMS revisions. | Regional Priority | Submit Revised EMS | As necessary | |
| 25. | Provide assistance on National Wet Weather Enforcement Strategy Implementation. EPA's wet weather priorities are: SSOs, storm water, and CAFOs. EPA must perform inspections and enforcement in these priority areas. The States are requested to partner with EPA in the initiatives and assist EPA in reaching our goals. | National Priorities | EPA/State to conduct inspections; EPA to implement enforcement. | EPA will take the lead on wet weather initiatives. | |